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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

IN RE BARD IVC FILTERS
PRODUCTS LIABILITY
LITIGATION

Relates to Plaintiff: Rick Shaw

Case No.: 2:18-cv-01593-DGC

No. MD-15-02641-PHX-DGC

**MOTION TO WITHDRAW
AS COUNSEL OF RECORD**

Pursuant to Local Rule of Civil Procedure 83.3(b), David A. Wenner, attorney for plaintiff Rick Shaw in the above-captioned matter, hereby moves this Court to withdraw as attorney of record.

Plaintiff Rick Shaw has sustained serious and life-changing injuries due to his IVC filter. Unfortunately, a conflict of interest has arisen between counsel and Mr. Shaw that requires counsel to withdraw from this case. Undersigned counsel cannot elaborate further regarding the facts underlying the conflict of interest, in order to avoid disclosing confidential and attorney/client privileged information. Counsel's request to withdraw is based upon a mandatory duty to withdraw under the Rules of Professional Conduct, and avowal that there is a conflict of interest should be taken at face value, such that the court should not require the disclosure of confidential information. *Maricopa County Public Defender's Office v. Superior Court of Maricopa County*, 187 Ariz. 162, 927 P.2d 822 (App. 1996).

1 Undersigned counsel certifies that this case is not set for trial and that counsel has
2 notified plaintiff in writing about the status of the case, the necessity of complying with any
3 existing court orders, and the need to retain new counsel as soon as possible. Undersigned
4 counsel has also informed plaintiff that counsel was willing to wait to withdraw until plaintiff
5 retained new counsel, but plaintiff requested the withdrawal be completed as soon as possible.
6

7 This motion to withdraw does not, in any way, reflect on the viability of Mr. Shaw's
8 claim, his injuries, or him as a plaintiff.

9 The contact information for plaintiff is: Rick Shaw, 2540 Fremont St, #119, Las Vegas,
10 NV 89104; telephone number: 702-403-7209; email: liveandletlive1961@gmail.com.
11

12 RESPECTFULLY SUBMITTED,

13 **SNYDER AND WENNER, P.C.**

14 /s/ David A. Wenner
15 By _____
16 David A. Wenner, Esq.
17 2200 E. Camelback Road, Ste. 213
18 Phoenix, AZ 85016
19 *Attorneys for Plaintiff*

20 I hereby certify that on this 16th day of August, 2019, I electronically transmitted the
21 attached document to the Clerk's office using the CM/ECF System for filing and transmittal of a
22 Notice of Electronic Filing.

23 /s/ David A. Wenner

24 _____
25 David A. Wenner
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